

18-C-0863

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED

1 **UNITED STATES** **FEDERAL COURT**

STEVEN R. SCHMIDT  
aka STEVEN R. SCHMIDT SR.  
6142 S. 27<sup>th</sup> Street  
Milwaukee, WI 53221 Plaintiff  
Vs

2 Case No.

Plaintiff

**Complaint & STEPHEN C. DRIES  
for 12 person Jury**  
CLERK

2018 JUN -6 P 2:10

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7  
WATERSTONE BANK SSB f/kla,  
WAUWATOSA, SAVINGS, BANK  
a domestic corporation,  
11200 West Plank Court  
Wauwatosa, WI 53226 Defendant

8  
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10  
11  
12

June 6 2018

13 A Disabled Person Discrimination case, Federal violations of equal Rights  
14 persons with disabilities act, fraudulent acts of WaterStone accounting errors.

15  
16 **COMPLAINT**  
17

18 1) Plaintiff Steven R Schmidt is a citizen of the United States of America, is also  
19 a disabled person requiring \$12,200.00 of IV Gamma Globulin therapy every  
20 3 weeks since discovery in 1984 of Dental malpractice poisoning from 1968,  
21 and for 18+ years resides at 6142 S. 27<sup>th</sup> Street, Milwaukee, Wisconsin 53221  
22

23 2) Wauwatosa Savings Bank f/kla: WaterStone Bank SSB has many locations in  
24 Wisconsin, a WaterStone **in house** residential mortgage loan division is  
25 headquartered at 11200 West Plank Court, Wauwatosa, Wisconsin 53226  
26

27 There are two separate divisions of WaterStone Bank Residential mortgage  
28 loans, There is an **in house** residential mortgage loan division who manages  
29 Plaintiff Steven R Schmidt' 2003 / 15 year \$85,677.35 residential Mortgage  
30 loan that is not to be confused with the **Main** WaterStone Bank Residential  
31 Mortgage loan division, which is also part of WaterStone Bank, who does not  
32 control Plaintiff Steven R Schmidt' Residential Mortgage loan, my loan is not  
33 considered an FDIC, FHA, Fanny Mae, Freddie Mac or a conventional loan

1 **Plaintiff Steven R Schmidt Objects & Disputes owing**  
2 **Def. WaterStone Bank \$85,000.00+ Balloon Payment on**  
3 **06/06/2018 & requests a 12 Person Jury Trial for this**  
4 **disputed Predatory Disabled Discrimination Residential**  
5 **Mortgage Loan and may involve mortgage loan violations.**

6  
7 3. This is a Disabled Person Discrimination case under Federal equal Rights persons  
8 with disabilities act, a discrimination predatory perpetual mortgage loan involving  
9 numerous Fraudulent accounting errors by WaterStone Bank in their favor showing  
10 multiple Patterns of Violations of Discrimination practices designed to foreclosure &  
11 burden the process of refinancing the mortgage loan or get a reverse mortgage.

12  
13 a) WaterStone Bank foreclosed in 2009 which Plaintiff SRS successfully proved  
14 to the Federal Court the 2007 loan payments were made to WaterStone Bank,  
15 at the time WaterStone Bank claimed they did not catch a missing 2007  
16 payment that was reported as paid on all the 2008 loan statements until 2009  
17 first foreclosure action. In 2009 WaterStone Bank started a foreclosure action,  
18 fraudulently saying a payment was missed in November of 2007 that they  
19 claimed was never paid, and they had not caught the mistake for over a year,  
20 WaterStone bank lost that case in Federal Court, and had to adjust my  
21 mortgage balance appropriately after I had to pay Attorneys \$3000.00.  
22 Federal Bankruptcy adversary Case & also in a State case 2011AP00220.

23 Plaintiff SRS recently found fraud as: discovered a second 2016 \$9800.00 payment  
24 which WaterStone Bank admits was paid and deducted from the Plaintiff SRS  
25 mortgage balance on 2016 Mortgage statements. Then **(two weeks later)**  
26 WaterStone Bank claims they discovered this payment to be in error so they added  
27 the \$9800.00 back to my Mortgage loan, This is another of WaterStone Banks errors  
28 designed to defraud and eventually trigger a second foreclosure to Disabled Plaintiff  
29 Residential property at 6142 S 27<sup>th</sup> Street, Milwaukee, Wisconsin, 53221.

30  
31 Two \$9800.00 mortgage payments Plaintiff SRS paid to Def. WaterStone Bank in  
32 2016, 1st was paid at 98th & greenfield location & 2<sup>nd</sup> at Oak Creek south 27<sup>th</sup> street,  
33 both payments from 2016 settlement, 12 year old Plaintiff SRS was raped by priest.

1 Recently I was told my loan is not considered an FDIC, FHA, Fanny Mae, Freddie  
2 Mac or a Conventional mortgage loan by a federal approved agency, and it doesn't  
3 qualify for other federal consumer protection mortgage loan assistance programs.  
4 WaterStone Bank claims this Federal approved residential mortgage assistance  
5 agency is a fraud setup and WaterStone Bank does not have to mediate my  
6 mortgage loan as my mortgage loan does not qualify, give no explanation why.  
7 That Federal approved mortgage assistance agency says something is wrong with  
8 my mortgage loan. WaterStone Bank won't talk to that federal approved assistance  
9 agency about my loan even though I gave my approval and permission.

10

11 4) WaterStone Bank recently sent a contract that is again a predatory perpetual  
12 mortgage loan extension of two years with high interest rate of 5%, a principle only  
13 loan that also has wording that gives WaterStone Bank a release of what I call  
14 liability for any of their errors and for discrimination. See EXHIBIT 1, 8 pages.

15

16 Plaintiff Steven R. Schmidt recently requested of WaterStone Bank a copy of the  
17 2003 mortgage loan contract and all loan Statements. WaterStone Bank emailed a  
18 different customers documents. See exhibit 2a, 2B. Also told me in May of 2018 they  
19 will not discuss my loan until after June 6<sup>th</sup> of 2018, the date the \$85,677.35 Balloon  
20 payment is due, this is causing me further stress as this could lead to foreclosure.

21

22 b) In January of 2003 Disabled Plaintiff Steven R. Schmidt seen a sign in front of  
23 Wauwatosa Savings Bank now called WaterStone Bank, two blocks from the  
24 Plaintiff SRS' house that told of an offering of FDIC mortgage loan & Plaintiff  
25 applied for a residential 15 year mortgage loan in the amount of \$112,000.00

26 c) Wauwatosa Savings Bank set up a mortgage loan knowing Plaintiff SRS was  
27 Disabled since 1984 as was stated in the income, previously Plaintiff SRS  
28 paid for 4yrs a first residential mortgage with US Bank & also a Second  
29 residential Mortgage, totaling \$112,000.00 that had a combined never late  
30 monthly payment of \$1180.00 per month. This was before taxes & property  
31 insurance which Plaintiff SRS paid separately and never missed any  
32 payments since the purchase of the residence in 1999.

1 d) I recently found another WaterStone Bank fraud scheme of a missing 2016  
2 payment that I had made to WaterStone bank, they applied \$9800.00 to my  
3 mortgage and two weeks later reversed that payment on a different monthly  
4 statement. In 2016 I made two \$9800.00 mortgage payments, the money from  
5 a settlement, Plaintiff SRS was raped by a priest when I was 12 years old.

6 .

7 WaterStone bank admits that there was 2 payments listed on their mortgage  
8 statements for my loan and also admits to removing one of the payments two  
9 weeks later after I paid it. WaterStone Bank saying claims they never got the  
10 second \$9800.00 payment even though their statement shows it.

11 The evidence is on their own mortgage statements. This is more of the  
12 ongoing fraud scheme to foreclose on my house, they refuse to correct the  
13 record this is stressful ongoing agony that I don't need in my life.

14 With the settlement money, I bought new windows, doors, porches, roofing  
15 materials and The Wisconsin Department of Vocational Rehabilitation has  
16 contributed \$3000.00 to landscape improvements to my property at 6142 S  
17 27<sup>th</sup> Street, I am still in the process of improving my residential property which  
18 if WaterStone Bank forecloses I will lose my equity, assets & livelihood.

19 e) WaterStone Bank sent me a two year continuance contract of their predatory  
20 discrimination perpetual mortgage loan see Exhibit 1. I want equal treatment.  
21 I am being treated differently due to my disability, whereby I get \$12,200.00  
22 worth of IV gamma globulin treatments every three weeks since 1984.  
23 My disabled abilities and intelligence varies during the month & WaterStone  
24 Bank is exploiting this situation is trying to take my house away from me.

25 Plaintiff Steven R. Schmidt recently applied for a mortgage loan modification  
26 with an out of state Federal approved agency, WaterStone bank personnel  
27 stated the company doing the modification is a fraudulent company and my  
28 mortgage loan does not qualify and they will not cooperate with them & then  
29 WaterStone bank informed Plaintiff SRS that they would not discuss my loan  
30 with me until after June 6, 2018, which is the date WaterStone determined  
31 balloon payment is due for \$85,000.00. causing me suffering ongoing stress.

1 WaterStone bank created my mortgage to be a perpetual Mortgage Loan with  
2 a balloon payment whereby I'm told after 15 years my loan should have been  
3 paid off with the then normal interest rates given to other home owners with a  
4 15 year Residential mortgage with interest rates at that time. Plaintiff SRS is  
5 Denied equal treatment subject to mistakes & stresses leading to foreclosure.  
6 WaterStone Bank advertises to be a FDIC equal Opportunity Loan Provider

7 Wherefore: Plaintiff Steven R Schmidt asks Federal Court and Jury of 12 to  
8 order a stay to any foreclosure actions by Waterstone Bank, order monthly  
9 payments held till conclusion of this case & order mandatory compliance with  
10 interrogatories producing requested documents. WaterStone Bank to produce  
11 the 2003 Wauwartosa Savings Bank mortgage contract and all 15 year  
12 mortgage loan statements submitted into evidence in this case including the  
13 May of 2018 mortgage 2 year contract offer. The court and Jury to award the  
14 Plaintiff Steven R Schmidt the mortgage loan 85,000.00 Balloon balance  
15 dismissed in its entirety and the loan satisfied in full and order Defendant  
16 WaterStone to pay all court costs, and \$20,000.00 pain and suffering related  
17 stress and any penalties or costs deemed appropriate paid to Plaintiff Steven  
18 R Schmidt and allow Plaintiff to Amend this Complaint after successful  
19 interrogatories and compliance with all produced documents are submitted to  
20 the Federal Court and a request a time line setup by the Court for the actions.

21 Plaintiff Steven R Schmidt also requests a 12-person Jury trial in this case.

22  
23 Sincerely Steven R. Schmidt Subscribed and sworn to me on June 6, 2018  
24 Plaintiff Steven R. Schmidt Notary Public Official [Signature]  
25 .6142 S 27<sup>th</sup> street My commission Expires May 31, 2020  
26 Milwaukee, WI 53221 414-282-0200

Milwaukee County  
State of Wisconsin

